

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRUCE MACDONALD, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

DYNAMIC LEDGER SOLUTIONS, INC., a  
Delaware corporation, TEZOS  
STIFTUNG, a Swiss Foundation,  
KATHLEEN BREITMAN, an  
Individual, ARTHUR BREITMAN,  
an Individual, TIMOTHY COOK DRAPER, an  
individual, DRAPER ASSOCIATES, JOHANN  
GEVERS, DIEGO PONZ, GUIDO SCHMITZ-  
KRUMMACHER, BITCOIN SUISSE AG,  
NIKLAS NIKOLAJSSEN and DOES 1-100,  
INCLUSIVE,

Defendants.

Case No. 3:17-cv-07095-RS

~~[PROPOSED]~~ ORDER GRANTING  
PLAINTIFF'S *EX PARTE*  
APPLICATION FOR TEMPORARY  
RESTRAINING ORDER AND  
ORDER TO SHOW CAUSE WHY A  
PRELIMINARY INJUNCTION  
SHOULD NOT ISSUE

1 This matter comes before the Court on the application of Plaintiff Bruce MacDonald ("Plaintiff")  
2 for an Order pursuant to Federal Rules of Civil Procedure 4(f)(3) and 4(h)(2) permitting Plaintiff to  
3 serve Defendants Johann Gevers and Diego Ponz (aka Diego Olivier Fernandez) by electronic means  
4 at additional newly identified email addresses.


5 Having reviewed the materials submitted and being fully advised, the Court GRANTS Plaintiff's  
6 application as follows:  
7

8 1. The Court GRANTS the Application, finding that Plaintiff has shown (1) Defendants  
9 Johann Gevers and Diego Ponz (aka Diego Olivier Fernandez) are not within any judicial district of  
10 the United States; (2) service by electronic means is not prohibited by any international agreement,  
11 (3) service by the electronic means specified below comports with constitutional notions of due  
12 process and is reasonably calculated to apprise the Swiss Defendants of the pendency of the action  
13 and afford them an opportunity to respond.  
14

15 2. The Court hereby orders that Plaintiff may effect service on the above-identified  
16 defendants at the following additional email addresses:

- 17 a. Upon **Diego Ponz (aka Diego Olivier Fernandez)** by email to  
18 diegoolivierfernandezpons@gmail.com.  
19 b. Upon **Johann Gevers** by email to johann@gevers.net  
20

21  
22 **DATED:** 12/15/17

  
The Hon. Richard Seeborg  
United States District Judge

Presented by:

DATED: December 15, 2017

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